IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 29TH OCTOBER 2007 / 7TH KARTHIKA 1929

WP(C).No. 31053 of 2007(V)

PETITIONER:

PRADEEPKUMAR N.G., S/O.N.N.GOPI, AGED 40 YEARS, NEDIYARA VEEDU,PUTHAN VELIKARA, N.PARUR.

BY ADV. SRI.VIJU THOMAS
SMT.M.MEENA JOHN

RESPONDENTS:

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1. THE DIVISIONAL FOREST OFFICER, MALAYATTOOR.

2. FOREST DEPOT OFFICER, DEPUTY REANGER, CHALAKKUDY.

3. CONSERVATOR OF FORESTS, CENTRAL CIRCLE,THRISSUR.

BY GOVT. PLEADER SRI. M.R.SABU

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C). NO. 31053 OF 2007

Dated this the 29th day of October, 2007

J U D G M E N T

Ext.P1 is an order passed by the 1st respondent in a proceeding under Section 61A of the Forest Act. By the said order, the 1st respondent was directed to release the vehicle bearing Reg. No.KL7E- 9651 to the owner of the vehicle but, however to confiscate the timber seized. The complaint of the petitioner is that eventhough Ext.P1 is issued, so far final orders pursuant to Ext.P1 has not been passed and therefore he is continuing to maintain the bank guarantee and other conditions which were imposed at the time of ordering interim custody. If as a matter of fact, Ext.P1 has become final, there is no justification for the uncertainty that is prevailing.

Accordingly, I dispose of this writ petition making it clear that if Ext.P1 has become final, the respondents shall pass final orders in the matter and communicate the same to the petitioner so that the petitioner can get the bank guarantee released and other conditions discharged.

ANTONY DOMINIC, JUDGE

vps